

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LOCAL 710 HEALTH, WELFARE AND PENSION FUNDS,)	
)	
)	
Plaintiffs,)	1:12-CV-9556
)	
v.)	Judge Bucklo
)	
MEAT FACTORY, INC., an Illinois Cor- poration,)	Magistrate Judge Brown
)	
)	
Defendant.)	

**MOTION TO VACATE ORDER OF DISMISSAL, TO REINSTATE ACTION,
AND FOR ENTRY OF JUDGMENT**

NOW COME the Plaintiffs and moves this Honorable Court to vacate Order of Dismissal entered on February 28, 2014, a copy of which is attached hereto as Plaintiffs' Exhibit "A", and to reinstate Plaintiffs' cause of action instanter, and for entry of judgment against the Defendant.

In support of Plaintiffs' Motion, Plaintiffs state as follows:

1) That pursuant to Settlement Agreement executed by the parties, a copy of which is attached hereto as Plaintiffs' Exhibit "B", the parties agreed to a dismissal of the pending action.

2) That notwithstanding the provisions of the Settlement Agreement, specifically paragraph 1 thereof, the Defendant has failed to remit payments for the months of May, June and July, 2014, to the Local 710 Pension Fund, as provided in Paragraph 2 of the

Settlement Agreement, and additionally failed to make the payments for May and June, required in Paragraph 3 of the Settlement Agreement.

WHEREFORE, in accordance with the provisions of the Settlement Agreement, Exhibit "B", Plaintiffs pray that the Order of Dismissal be vacated instant, Plaintiffs' cause of action be reinstated, and that judgment enter in favor of Plaintiffs and against the Defendant in the amount of \$361,097.00, as and for the outstanding delinquencies and accrued interest calculated pursuant to the Settlement Agreement, which amount does not include current delinquencies claimed due, if any.

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Dated: July 28, 2014